

313
2-11-03

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, January 28, 2003 - - 7:30 p.m.

Present: Mayor Kerry J. Donley, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: Vice Mayor William C. Cleveland.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Mr. Caton, Legislative Director; Mr. Neckel, Director of Finance; Ms. Fogarty, Director of Planning and Zoning; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Mr. Culpepper, Deputy Director of Transportation and Environmental Services; Ms. Barnett, Deputy Director of Recreation, Parks and Cultural Activities; Ms. Oviatt, Director of Office on Women; Mr. Powers, Director of Community Programs; Mr. Smith, Director of Community Services; Ms. Boyd, Director of Citizen Assistance; City Engineer Baker; Public Information Officer Gordon; Acting Fire Chief Gower; and Police Lieutenant Uzzell.

Recorded by: Susan K. Seagroves, Deputy City Clerk and Clerk of Council.

OPENING

The Meeting was called to Order by Mayor Donley, and the Deputy City Clerk called the Roll; all Members of City Council were present except Vice Mayor Cleveland.

Mayor Donley explained that Vice Mayor Cleveland was not here tonight due to his having to work, as a Capitol Police Officer, because of the State of the Union Address. The Mayor stated the Vice Mayor asked that Council consider deferring the BZA and Planning Commission appointments, and Council will consider those when they come up in the regular course of business.

City Council observed a moment of silence and then recited the Pledge of Allegiance.

3. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council approved the Minutes for the Regular Meeting of January 14, 2003, as submitted. The voting was as follows:

Euille	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

4. **THERE BEING NO DISCUSSION**, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously by all those present, City Council received the Report of the City Clerk. The voting was as follows:

Pepper	"aye"	Cleveland	absent
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

5. Recognition of Terrence Jennings, a T.C. Williams High School Junior, who is an International Taekwondo Champion.

Mayor Donley introduced Terrence Jennings who is a gold medalist and participated in an international taekwondo competition in Germany on behalf of the United States. The Mayor extended to him City Council's congratulations for his achievements, and wished him well in the future.

OPENING (continued)

6. Presentation of Proclamation Proclaiming the Month of February as George Washington Birthday Celebration Month in Alexandria.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 1/28/03, and is incorporated herewith as part of this record by reference.

A copy of an informational packet on the 2003 George Washington Birthday Celebration events is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 6; 1/28/03, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper presented the proclamation.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Woodson and carried unanimously by all those present, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Cleveland	absent
Woodson	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
	Speck	"aye"	

7. Presentation of Proclamation Proclaiming the Week of February 3-8, 2003, as National Consumer Protection Week in the City of Alexandria.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 1/28/03, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein presented the proclamation.

WHEREUPON, upon motion by Councilwoman Eberwein, seconded by Councilwoman Woodson and carried unanimously by all those present, City Council endorsed the proclamation. The voting was as follows:

Eberwein	"aye"	Cleveland	absent
Woodson	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (8-13)

8. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

- (a) Alexandria Consumer Affairs Commission
Kimberley Moore
- (b) Alexandria Convention and Visitors Association
Board of Governors
Jeffrey Albert
Bruce Earle
- (c) Alexandria Waterfront Committee
Stafford Farmer-Lee

(A copy of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 8(a-c); 1/28/03, and is incorporated herewith as part of this record by reference.)

9. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Environmental Policy Commission
1 Citizen-at-Large
- (b) Alexandria Landlord-Tenant Relations Board
1 Resident Member Who Is Not a Landlord or a Tenant
- (c) Alexandria Sanitation Authority
1 Citizen Member

(Material pertaining to the above appointments is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 9(a-c); 1/28/03, and is incorporated herewith as part of this record by reference.)

10. Receipt of the 2002 Annual Report from the Alexandria Park and Recreation Commission.

(A copy of the City Manager's memorandum dated January 9, 2003, together with the annual report, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 10; 1/28/03, and is incorporated herewith as part of this record by reference.)

11. Receipt of the City's Monthly Financial Report for the Period Ending December 31, 2002.

(A copy of the City Manager's memorandum dated January 15, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 1/28/03, and is incorporated herewith as part of this record by reference.)

12. Authorization of Recommended Capital Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated January 21, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 1/28/03, and is incorporated herewith as part of this record by reference.)

13. Consideration of Allocation of Funds for Professional Consulting Services for the Department of Planning and Zoning.

(A copy of the City Manager's memorandum dated January 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 1/28/03, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Speck, seconded by Councilman Euille and carried unanimously by all those present, City Council approved the Consent Calendar as presented. The City Manager's recommendations are as follows:

8. City Council received the following resignations with regret: (a) Kimberley Moore from the Alexandria Consumer Affairs Commission; (b) Jeffrey Albert and Bruce Earle from the Alexandria Convention and Visitors Association Board of Governors; and (c) Stafford Farmer-Lee from the Alexandria Waterfront Committee; requested the Executive Secretary for Boards and Commissions to send the appropriate letters of appreciation and to advertise the vacancies in the usual manner.

9. City Council (a) reappointed Cynthia Chambers as a Citizen-at-Large Member to the Alexandria Environmental Policy Commission; (b) reappointed Sylvia Brennan as a Resident Member who is not a landlord or a tenant to the Alexandria Landlord-Tenant Relations Board; and (c) reappointed Elise Fulstone as a Citizen Member to the Alexandria Sanitation Authority.

10. City Council received the Annual Report from the Alexandria Park and Recreation Commission and thanked the Commission for its efforts on behalf of the City.

11. City Council received the Monthly Financial Report for the period ending December 31, 2002.

12. City Council authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

13. City Council approved the transfer of \$50,000 in funds designated in contingent reserves to the Department of Planning and Zoning to complete ongoing planning initiatives.

END OF CONSENT CALENDAR

The voting was as follows:

Speck	"aye"	Cleveland	absent
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Pepper	"aye"
	Woodson	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

By unanimous consent, Council took docket item no. 22 out of order.

22. Consideration of Update Report on Items Before the 2003 General Assembly Session.

(A copy of the City Manager's memorandum dated January 27, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 1/28/03, and is incorporated herewith as part of this record by reference.)

Legislative Director Caton reported on the City's legislative package and other bills before the General Assembly and participated in the discussion with Council.

In response to Councilman Euille's query, Mr. Caton will get more details and report next time on the Governor's proposal to sell assets held by the Virginia Department of Housing and Community Development to the Virginia Housing Development Authority.

It was announced that the Legislative Subcommittee will not be meeting this Friday, January 31, but it will meet the following week.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council adopted the legislative positions that have been recommended by the City Council's Legislative Subcommittee, with the change in its position on HB 2750, to no position, and added the City's opposition to HB 1512 to abolish the State Council on the Status of Women. The voting was as follows:

Euille	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

14. Consideration of the Taxicab Task Force Report. [#17 11/26/02]

(A copy of the City Manager's memorandum dated January 24, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 1/28/03, and is incorporated herewith as part of this record by reference.

A copy of a memorandum from four members of the Taxicab Task Force dated January 24, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 1/28/03, and is incorporated herewith as part of this record by reference.

A copy of a memorandum from Columbus Cab Corporation dated January 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 14; 1/28/03, and is incorporated herewith as part of this record by reference.)

Councilwoman Woodson requested that Council have a work session to discuss the Task Force report before holding the public hearing.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council deferred any action on the Taxicab Task Force Report, and to hold a work session before Council schedules the matter for public hearing. [This work session will take place on February 25, 2003, at 6:00 p.m.] The voting was as follows:

Woodson	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
	Speck	"aye"	

15. Consideration of the Annual Report of the Waste-to-Energy Trust Fund.

(A copy of the City Manager's memorandum dated January 17, 2003, together with the annual report, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 15; 1/28/03, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council received the report. The voting was as follows:

Euille	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

REPORTS BY MEMBERS OF CITY COUNCIL

(a) Mayor Donley described a new initiative of the Alexandria Campaign on Adolescent Pregnancy to work collaboratively with the District of Columbia. This program provides training to parents who would train other parents on how to talk to teens about love, sex and relationships in order to increase the meaningful adult participation with, and to impart their values to, their teenagers' lives. ACAP will be meeting with the Youth Policy Commission to get its support.

(b) Councilwoman Pepper, in her capacity representing the City on COG's Air Quality Committee, reported that on Friday the Federal Register stated the final reclassification notice of the EPA, and the rating for this entire area was increased from serious to very serious. This will give us more regulations and tough standards to meet for air pollution control.

(c) Councilman Euille reported on the proposed fare increases for WMATA and announced several public hearings to be held in the area. The public hearing in Alexandria will be on Thursday, March 13, at 7:30 p.m., in the Council Workroom at City Hall. He encouraged citizens to come out to voice their opinions on the fare changes.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Euille requested additional information from the City Manager on how we are going to promote the state grants of 4.28 million dollars for first-time homeowners. Council Members discussed this program with the City Manager and staff. Councilman Euille volunteered to assist in the outreach effort.

Councilwoman Woodson suggested that staff use the real estate community to get out the word since they know the subject, and this program will advance its ability for sales as well.

(b) Councilman Euille raised his concern about the status of the City's disadvantaged population regarding events after 9/11 and the downturn in economic conditions. Mr. Euille had asked staff to provide a six-month analysis covering the areas of: the need for homeless shelters, fuel assistance, housing subsidy, and food subsidy, and staff provided a very comprehensive report. Director of Community Services Smith and Director of Community Programs Powers went through the report, responded to questions and participated in the discussion on available crisis benefits for those in need. Councilman Euille encouraged staff to make sure we are doing all we can, and if there is a need for additional funds for these City programs, to so apprise the City Manager.

(c) Councilwoman Woodson announced that the Alexandria Cares program was officially dedicated today. She recognized Jack Taylor of Alexandria Toyota which has provided the "Baby One" van for the Police to use in delivering and installing vehicle safety seats for infants and toddlers.

(d) Councilwoman Woodson requested that the Windmill Hill Park issue be docketed for Council consideration on the possible rescission of, or amendment to, the proposed Windmill Hill Park plan on February 11. It was the consensus of Council to change the date to February 25, so that Councilman Speck could attend.

Councilman Euille asked staff for some prepared recommendations on Windmill Hill Park prior to that meeting.

REPORT FROM THE CITY MANAGER

(a) City Manger Sunderland announced to the home audience that federal tax preparation assistance is available for individuals and families who meet certain income limits. These services will be available at the Human Services Center, 2525 Mount Vernon Avenue, every Saturday morning between February 8 and April 12, 9 a.m. to Noon, and on Wednesday evenings from February 12 until April 9, 6 p.m. to 8:00 p.m. Citizens should call 703-838-0768 for information.

(b) Mr. Sunderland commended the Jaycees for their Recognition Night held last night. A number of employees were recognized for community service, and he appreciates the Jaycees doing this for employees every year.

(c) Councilman Speck expressed his desire to coordinate City Council schedules to help groups avoid planning conflicting functions. The City Manager and Council discussed the cost and viability of such a system. Citizen Assistance Director Boyd advised that the Chamber of Commerce was going to try to set up a scheduling calendar, she will get more information on that, and the City Manager will pass this information on to Council.

ORDINANCES AND RESOLUTIONS

16. Consideration of a Virginia Department of Transportation Programming Resolution to Establish an Urban System Highway Project for the Improvement of the Railroad Crossing Located in the 700 Block of Slaters Lane. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated January 15, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 1/28/03, and is incorporated herewith as part of this record by reference.)

Director of Transportation and Environmental Services Baier clarified for Councilwoman Woodson that the railroad's policy is to maintain only, not to upgrade. These funds will allow the City to do so.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a ROLL-CALL vote of 6-to-0, City Council (1) adopted the Virginia Department of Transportation Programming Resolution to establish an urban system highway project for the improvement of the railroad crossing located in the 700 block of Slaters Lane; and (2) authorized the City Manager to execute the necessary documents. The voting was as follows:

Euille	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2057

**IMPROVEMENT OF THE RAILROAD CROSSING LOCATED
IN THE 700 BLOCK OF SLATERS LANE**

PROJECT PROGRAMMING RESOLUTION

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by council resolution be made in order that the Department program an urban highway project in the City of Alexandria;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Alexandria, Virginia, requests the Virginia Department of Transportation to establish an urban system highway project for the improvement of the railroad crossing located in the 700 block of Slaters Lane. The project comprises the following remediation measures:

- Install safety devices, including gates and cantilevered flashing lights, and
- Install a concrete base and concrete ties to smooth out the grade along the railroad tracks and to minimize the noise caused by trains moving along the tracks.

BE IT FURTHER RESOLVED, that the Council of the City of Alexandria hereby agrees to pay its share of the total cost for preliminary engineering, right-of-way and construction of this project in accordance with Section 33.1-44 of the Code of Virginia, and, that if the City of Alexandria subsequently elects to cancel this project, the City of Alexandria hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

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OTHER

17. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated January 23, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 1/28/03, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council: (1) received the revised calendar which includes: the Alexandria Chamber of Commerce's Professional Networking Breakfast (**corrected title**) on Thursday, March 20, at 7:30 a.m., at the Mark Center Hilton; the Alexandria Technology Achievement Awards luncheon on Friday, March 21 (**corrected date**), at noon at the Hilton Mark Center (**corrected location**); the City's Annual Employee Service Awards program scheduled for Monday, April 14, at 5:30 p.m., at the Lee Center, 1108 Jefferson Street; and (2) **rescheduled the annual breakfast work session with Congressman James Moran to Monday, February 24, at 8 a.m., in the Council Workroom; Council added a work session on the Taxicab Task Force report on February 25, at 6:00 p.m., and scheduled a short meeting of the ATC stockholders on February 25, at 7:15 p.m., before the Council meeting.** The voting was as follows:

Euille	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

CONTESTED APPOINTMENTS

18. Alexandria Beautification Commission
1 Citizen Member

(The following persons volunteered for appointment to the above Commission:)

NAME	ENDORSED BY:
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Patricia Braun

Mary Hurlbut Seith*

*Incumbent

* * * * *

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 18; 1/28/03, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Mary Hurlbut Seith as a Citizen Member to the Alexandria Beautification Commission. The voting was as follows:

Donley	-	Seith
Cleveland	-	absent
Eberwein	-	Seith
Euille	-	Seith
Pepper	-	Seith
Speck	-	Seith
Woodson	-	Seith

19. Alexandria Board of Zoning Appeals
1 Citizen Member

(The following persons volunteered or were endorsed for appointment to the above Board:)

NAME	ENDORSED BY:
Stephen Koenig*	Del Ray Citizens Association
James Sutton	

*Incumbent

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 19; 1/28/03, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Stephen Koenig as a Citizen Member to the Alexandria Board of Zoning Appeals. The voting was as follows:

Donley	-	Koenig
Cleveland	-	absent
Eberwein	-	Koenig
Euille	-	Koenig
Pepper	-	Koenig
Speck	-	Koenig
Woodson	-	Koenig

20. Alexandria Commission on Persons With Disabilities
1 Citizen Member

(The following persons volunteered for appointment to the above Commission:)

NAME

ENDORSED BY:

Jeffrey McAllister

Jacqueline Skinner

* * * * *

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 20; 1/28/03, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: There was a tie vote between the candidates; therefore, Council deferred this appointment until the next meeting when Vice Mayor Cleveland is in attendance. The voting was as follows:

Donley	-	Skinner
Cleveland	-	absent
Eberwein	-	McAllister
Euille	-	McAllister
Pepper	-	Skinner
Speck	-	Skinner
Woodson	-	McAllister

* * * * *

21. Alexandria Planning Commission
3 Citizen Members

(The following persons volunteered or were endorsed for appointment to the above Commission:)

NAME

ENDORSED BY:

Benjamin Klein

John Komoroski*

Richard Leibach*

Rosemont Citizens Association
Seminary Hill Association, Inc.

Eric Wagner*

*Incumbent

* * * * *

(Material pertaining to the above appointments is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 21; 1/28/03, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed John Komoroske, Richard Leibach and Eric Wagner as Citizen Members to the Alexandria Planning Commission. The voting was as follows:

Donley	-	Komoroske, Leibach, Wagner
Cleveland	-	absent
Eberwein	-	Komoroske, Leibach, Wagner
Euille	-	Komoroske, Leibach, Wagner
Pepper	-	Komoroske, Leibach, Wagner
Speck	-	Komoroske, Leibach, Wagner
Woodson		Komoroske, Leibach, Wagner

* * * * *

New Business Item No. 1. WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Eberwein and carried unanimously by all those present, at 9:30 p.m., City Council convened in executive session at this time, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for the purpose of consulting with legal counsel and staff with respect to probable litigation involving the provision of public housing within the City. The voting was as follows:

Woodson	"aye"	Cleveland	absent
Eberwein	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
		Speck	"aye"

THEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously by all those present, at 9:40 p.m., City Council reconvened the meeting. The voting was as follows:

Woodson	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
		Speck	"aye"

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council authorized the City Attorney to proceed with litigation along the lines discussed in the executive session. The voting was as follows:

Woodson	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
		Speck	"aye"

THEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried on a ROLL-CALL vote of 6-to-0, City Council adopted the resolution pertaining to the executive session. The voting was as follows:

Woodson	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
		Speck	"aye"

The resolution reads as follows:

RESOLUTION NO. 2058

WHEREAS, the Alexandria City Council has this 28th day of January 2003, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously by all those present, at 9:42 p.m. the Regular Meeting of Tuesday, January 28, 2003, was adjourned. The voting was as follows:

Woodson	"aye"	Cleveland	absent
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
		Speck	"aye"

* * * * *

APPROVED BY:

KERRY J. DONLEY

MAYOR

ATTEST:

Susan K. Seagroves, Deputy City Clerk